

JAP:RMT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

M-09-1071

UNITED STATES OF AMERICA

- against -

ELVIS ANTONIO ESPINAL,
also known as
"Alvin Troche,"

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF AN
APPLICATION FOR
ARREST WARRANT

(18 U.S.C. § 1542)

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

OSCAR GRAJALES, being duly sworn, deposes and says that he is a Special Agent with the Department of State, Diplomatic Security Service ("DSS"), duly appointed according to law and acting as such.

On or about May 30, 2002, within the Eastern District of New York, the defendant, ELVIS ANTONIO ESPINAL, also known as "Alvin Troche," did willfully and knowingly make a false statement in an application for a passport with intent to induce and secure the issuance of a passport under the authority of the United States, for his own use, contrary to the laws regulating the issuance of passports and the rules prescribed pursuant to such laws.

(Title 18, United States Code, Section 1542).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. I am a Special Agent with DSS and have been so for about five months. I am familiar with the facts and circumstances set forth below from my personal involvement in the investigation, my review of the investigative file and from reports of other law enforcement officers involved in the investigation.

2. On or about February 27, 2009, an individual claiming to be "Alvin Troche" submitted application 230178929 for a U.S. Passport at Coney Island Station #11224 in New York. That application was referred to the Diplomatic Security Service because on May 30, 2002, another individual claiming to be "Alvin Troche" submitted application 301985123 and received a U.S. Passport. The May 30, 2002 application was submitted at the United States Post Office in Jamaica, New York.

3. On or about June 4, 2009, I interviewed the individual who submitted application 230178929 and his sister, (the "sister"). During the course of that interview, the sister admitted that in 2002 she provided the defendant, ELVIS ANTONIO ESPINAL, also known as "Alvin Troche," with the birth certificate

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause, I have not described all the relevant facts and circumstances of which I am aware.


and social security card of her brother, the true Alvin Troche. The sister admitted to giving the defendant those documents without her brother's knowledge.

4. Using the information provided by the sister and databases commonly available to law enforcement officers, I determined that on October 17, 2007, the Department of State issued a passport to the defendant, ELVIS ANTONIO ESPINAL, also known as "Alvin Troche," bearing the name "Elvis Antonio Espinal." That passport bears a photograph of an individual matching the individual whose photograph was submitted in conjunction with passport application 301985123. It also matches the individual photographed in a driver's license issued by the State of Florida to an individual named "Elvis Antonio Espinal."

5. I also determined that an individual named "Elvis Espinal," DIN 09A0092, is currently incarcerated at Mt. McGregor Correctional Facility in New York State, having been previously convicted of Criminal Possession of Stolen Property in the 4th Degree. On July 8, 2009, I went to interview that individual, and I observed that his physical appearance matched the individual whose photograph was submitted in conjunction with passport application 301985123. His appearance also matched the individual photographed in the Florida driver's license and the passport issued in the name "Elvis Antonio Espinal." I therefore have concluded that the individual incarcerated at Mt. McGregor

Correctional Facility under the name "Elvis Espinal," DIN 09A0092, is the same individual who submitted passport application 301985123 and is therefore the defendant, ELVIS ANTONIO ESPINAL, also known as "Alvin Troche."

WHEREFORE, your deponent respectfully requests that the defendant, ELVIS ANTONIO ESPINAL, also known as "Alvin Troche," be dealt with according to law.



OSCAR GRAJALES
Special Agent
Department of State

Sworn to before me this
30th day of October, 2009

EASTERN DISTRICT OF NEW YORK